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## FACT SHEET

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October 18, 2004

### Transfer of Court Facilities to the State

The Larson Justice Center in Riverside County will be the first court facility transferred from the counties to the state under the governance of the California Judicial Council. This the first of more than 450 court facilities that will be transferred to the state, and is the final significant step in creating a unified, one-tier trial court system as envisioned by the Trial Court Funding Act of 1997 and the Trial Court Facilities Act of 2002. This monumental structural reform will allow for increased efficiency in court operations, enhance court safety, and help ensure equal access for all Californians.

#### Legislative Background

##### **Lockyer-Isenberg Trial Court Funding Act of 1997 (Assem. Bill 233)**

The Trial Court Funding Act made funding of court operations a state responsibility and provided the courts with their first statewide funding system.

##### **Proposition 220**

Passed by California voters in 1998, Proposition 220 provided for voluntary unification of the superior and municipal courts in each county into a unified, one-tier trial court system.

##### **Trial Court Facilities Act of 2002 (Sen. Bill 1732)**

The Trial Court Facilities Act shifted the governance of California's courthouses from the counties to the state, laying the groundwork for the final step in trial court unification: the transfer of court facilities.

#### Role of State

The State Task Force on Court Facilities—established by Assembly Bill 233—recommended in 2001 that the state assume full ownership and maintenance responsibility for all court facilities. These recommendations resulted in the passage of Senate Bill 1732 and placed the state's responsibility with the Judicial Council and Administrative Office of the Courts (AOC).

Following each transfer of a court facility, the Judicial Council will take on full policy-making responsibility for the trial court facility, with ongoing input from county and community representatives. The AOC is charged with carrying out the Judicial Council's policies.

#### Office of Court Construction and Management

In fulfillment of its new responsibility, the AOC in August 2003 established the Office of Court Construction and Management (OCCM) to lead implementation of the Trial Court Facilities Act. OCCM implements the transfers with county administrators, collaborates with county and court officials to establish long-term facilities master plans for the trial courts, plans capital outlay and funding to support design and construction of new and renovated courthouses, and administers facilities and real estate for the superior courts and Courts of Appeal.

#### Benefits to Public

How do the transfers affect Californians? They:

- **Promote resource sharing and efficiency**  
The transfers—and subsequent unified, statewide administration of court buildings—will allow the Judicial Council to leverage shared resources and knowledge across all 58 California counties. This will result in greater efficiencies and higher savings through large-scale purchasing power and enhanced delivery of programs and services.
- **Reduce the burden on counties**  
The transfers will reduce the burden on county governments, which will no longer have to provide facilities for state court operations.
- **Promote innovative new programs**  
The savings generated by trial court unification, state funding, and unified facilities administration will help give the courts the resources to develop and implement innovative programs to increase Californians' access to justice.
- **Increase safety at California courthouses**  
The transfers—and the resulting ability to leverage resources statewide—will allow the AOC to readily address life, health, and safety issues in conjunction with correcting security and operational deficiencies, including:
  - Bringing fire and life safety systems up to current codes;
  - Improving accessibility for disabled people;

- Remediating hazardous materials such as mold and asbestos;
- Upgrading hazardous and insufficient electrical and lighting systems;
- Replacing heating, ventilation, and air conditioning systems; and
- Facilitating seismic retrofit projects.

### An Urgent Need

The numbers tell the story: there is an urgent need for construction and renovation of California's courts.

- Due to lack of courtroom space, more than 23 court facilities are in trailers.
- Twenty-five percent of courtrooms have no space for a jury.
- Forty-one percent of court facilities have no way to bring in-custody defendants to courtrooms without using public hallways and passing by witnesses, potential jurors, victims, and other court users.
- Sixty-eight percent of court buildings do not have up-to-date fire and life safety systems (including sprinklers, proper exits, and emergency lighting).
- Seventy-eight percent do not have adequate access for people with disabilities.

### Funding for Improvements

The renovation and replacement of the existing courthouses will depend on adequate funding, which in turn will depend on a general obligation bond, since funds from filing fees alone are currently insufficient. It is anticipated that once current court facilities are improved, future construction programs to accommodate growth of the courts will be self-funded by filing fees dedicated to court construction. Support from the public, the court's criminal justice partners, the State Bar, counties, and the Legislature will be critical to passing this important bond measure.

### Symbols of Democracy

The system of justice in the United States is a living symbol of the success of democratic ideals, and the buildings that allow citizens to fully engage this system play a critical role in the judiciary. Well-designed and -maintained courthouses allow the justice system to protect witnesses, victims, plaintiffs, defendants, jurors, staff, and judges from violence; minimize the impact of family disputes on innocent children; keep official records confidential and safe; and support a jury system that is unique in the world. The successful inaugural transfer of the Larson Justice Center should inspire all Californians to continue working together toward this ideal.